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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/779,901	02/17/2004	Carl Andrew Reis	NORTH-601A	9610

7663 7590 11/01/2005

STETINA BRUNDA GARRED & BRUCKER
75 ENTERPRISE, SUITE 250
ALISO VIEJO, CA 92656

EXAMINER

STAICOVICI, STEFAN

ART UNIT	PAPER NUMBER
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1732

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/779,901

Applicant(s)

REIS ET AL.

Examiner

Stefan Staicovici

Art Unit

1732

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 8/25/2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,4 and 6-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3,4,6 and 7 is/are allowed.
- 6) ☒ Claim(s) 8-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicants' amendment filed August 25, 2005 has been entered. Claims 1, 3-4 and 6-15 are pending in the instant application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 8-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over McKague, Jr. *et al.* (US Patent No. 6,553,734 B1) in view of McKague, Jr. *et al.* (US Patent No. 6,520,706 B1).

McKague, Jr. *et al.* ('734) teach the basic claimed process for making a preform for use in a composite structure including, providing a fiber sheet (11) having fibers oriented in a specific direction of uniform or variable length, wherein said fiber length (15) are defined by slits (17) in a direction perpendicular to said fibers, said slits (17) being spaced apart from slits in an adjacent row (see Figure 1), cutting said sheets (11), stacking said sheets (11) in an integrated layer (21), forming said integrated layer in a sinusoidal shaped mold (41) such that stretching of the material occurs to thereby enhance deformability and shaping of the material (see col. 3, lines 1-58). Further, McKague, Jr. *et al.* ('734) teach a tapered (expanding the preform from the first edge to

the second edge) sine-wave configuration (see col. 4, lines 16-29 and Figure 8).

Regarding claims 8-10 and 12, McKague, Jr. *et al.* ('734) do not teach shaping said preform, specifically a pi-shaped preform having a leg portion and a foot portion. McKague, Jr. *et al.* ('706) teach a pi-shaped preform (11) (foot portions and leg portions) that has been shaped in a sinusoidal manner (see Figure 6A). Therefore, it would have been obvious for one of ordinary skill in the art to have formed a pi-shaped preform as taught by McKague, Jr. *et al.* ('706) using the process of McKague, Jr. *et al.* ('734) because, McKague, Jr. *et al.* ('734) specifically teaches that by forming slits the deformability of the preform improves, hence resulting in an improved process and also because a sinusoidal shaped preform provides for improved mechanical properties.

In regard to claim 11, McKague, Jr. *et al.* ('734) teach a fiber sheet (11) having fibers oriented in a specific direction of uniform or variable length, wherein said fiber length (15) are defined by slits (17) in a direction perpendicular to said fibers, said slits (17) being spaced apart from slits in an adjacent row (see Figure 1).

Specifically regarding claims 13-15, McKague, Jr. *et al.* ('734) teach a tapered (expanding the preform from the first edge to the second edge) sine-wave configuration having a flange out-of-plane (see col. 4, lines 16-29 and Figure 8).

Allowable Subject Matter

4. Claims 1, 3-4 and 6-7 are allowed.

Response to Arguments

5. Applicants' arguments filed August 25, 2005 have been considered.
6. Applicants' arguments are drawn to newly presented claims that have been rejected in this Office Action as set forth above.
7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Conclusion

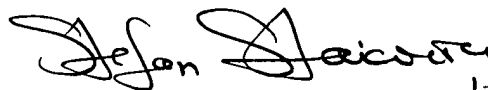
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefan Staicovici, Ph.D. whose telephone number is (571) 272-1208. The examiner can normally be reached on Monday-Friday 9:30 AM to 6:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael P. Colaianni, can be reached on (571) 272-1196. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Stefan Staicovici, PhD

A handwritten signature in black ink, appearing to read 'Stefan Staicovici', is written over the printed name.

Primary Examiner

10/30/05

AU 1732

October 30, 2005